

**To:** Rowan, Anne[rowan.anne@epa.gov]  
**Cc:** Lippert, Allison[lippert.allison@epa.gov]; Singer, Joshua[Singer.Joshua@epa.gov]; Kelley, Jeff[kelley.jeff@epa.gov]  
**From:** Arcaute, Francisco  
**Sent:** Tue 6/5/2018 2:04:17 PM  
**Subject:** RE: Another Toledo press release needed today

Got it

Francisco Arcaute  
US EPA R5 press office  
312 886 7613  
Cell 312 898 2042

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**From:** Rowan, Anne  
**Sent:** Tuesday, June 5, 2018 9:04 AM  
**To:** Arcaute, Francisco <Arcaute.Francisco@epa.gov>  
**Cc:** Lippert, Allison <lippert.allison@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>  
**Subject:** Another Toledo press release needed today

Cisco, in addition to a press release to announce Upton Avenue removal, please draft a press release today to announce next week's GLRI Action Plan III meeting in Toledo. Thanks

ANNE ROWAN  
U.S. EPA, Region 5  
Office of External Communication  
312-353-9391  
[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)

On Jun 5, 2018, at 8:48 AM, Arcaute, Francisco <Arcaute.Francisco@epa.gov> wrote:

Thanks.

PS – Don't know if the following is of interest:

<https://www.greenbaypressgazette.com/story/news/2018/06/04/back-forty-mine-aquila-final-permit-michigan-opponents-fight-menominee-tribe-river-sulfide-open-pit/671503002/>

## Aquila Resources gets fourth, final Back Forty mine permit, but with strings attached

Paul Srubas, USA TODAY NETWORK-Wisconsin Published 7:39 p.m. CT June 4, 2018

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The Back 40 mine project near Stephenson, Mich. along the Menominee River has been met with opposition, but could have final approval to begin mining by early 2018. USA TODAY NETWORK-Wisconsin



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An entrance to the property where Aquila Resource's plans a 750-foot-deep pit mine. (Photo: Paul Srubas/USA TODAY NETWORK-Wisconsin) Buy Photo

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MENOMINEE, Mich. — Opponents of a proposed open-pit sulfide mine in the Upper Peninsula promised to keep fighting despite the news that developers have received the fourth and final permit needed to begin the project. “They have their four licenses, but they don’t have a social license. The community is not welcoming them,” said Regina Chaltry, whose family has owned property in the area near the mine for the last 70 years. Chaltry is one of the people who organized weekly protest marches across the bridge connecting Marinette and Menominee. “The landowners in the state of Michigan and local residents who live on the river or use the river regularly for recreational activities, the sports fishermen, all the different businesses — I don’t think we’re going to sit silently by and watch the Aquila mine,” Chaltry said “I don’t think that’s going to be in our future.”



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Regina Chaltry speaks against the Back Forty Mine during a meeting in Sturgeon Bay at which the Door County Board

considered a resolution opposing the mine. (Photo: Peter J. Devlin/For USA TODAY NETWORK-Wisconsin)  
Aquila Resources, a Canadian company, has been working for the last several years to gain permitting needed to build an open-pit mine on the Michigan side of the Menominee River, which forms the border between Wisconsin and the Upper Peninsula.

The Michigan Department of Environmental Quality, which administers federal permitting in the state of Michigan, on Monday announced it has issued a wetlands permit for the Back Forty Mine project.

The permit is the fourth and final permit the company needs to move forward with the mine, providing it meets some technical requirements.

Aquila heralded the news as a significant milestone that "allows us to move forward and build a world class mining operation," said Mike Welch, the company's chief operating officer.

With the final permit in hand, the company will begin pre-construction activities immediately, including completion of a feasibility study, finalization of a project execution plan to allow preparation for construction and operational readiness and continued discussion with investors.

The proposed mine is expected to produce 721 million pounds of zinc, 532,000 ounces of gold, 74 million pounds of copper, 4.6 million ounces of silver and 21 million pounds of lead.

The company and supporters say the mine would provide jobs and an overall economic boost to an area that has depended on mining jobs for generations.

Opponents have said the mine's open pit will ruin resort and retirement properties in its immediate vicinity and threaten water quality down river and possibly into Green Bay.

Aquila Resources, a Canadian exploration company, owns the controversial Back Forty metallic sulfide mine proposal adjacent to the Menominee River that forms the border between Wisconsin and Michigan and flows into Green Bay. The site of the Upper Peninsula mine is on the right side of the river. (Photo: Deborah Skubal/Milwaukee Journal-Sentinel)

"For our environment and our cultural resources along the river, it's very bad news," said Guy Reiter, a member of the Menominee Tribe of Indians, who has protested the proposed mine and spoken against it at numerous public meetings.

"I'm not going to lie and say I didn't see it coming," he said. "During my talks at public hearings, I knew their minds were already made up, so why were we playing out this charade?"

The Menominee Tribe of Indians, which claims that area as its birth place, has also objected the mine will disrupt ancient burial and gardening sites.

They and others have filed several lawsuits that remain unresolved in federal court in Michigan and Wisconsin.

Among other issues, the tribe is claiming the U.S. Environmental Protection Agency improperly abdicated its authority by granting Michigan permission to administer federal permits.

Several Wisconsin counties, including Brown, have formally voiced opposition to the mine out of concerns for environmental impact.

Aquila previously obtained permits for mining, and air and surface water discharges. The company failed to qualify immediately for the wetlands permit, and opponents of the mine were holding out hope the EPA's lingering questions on that would be enough to scuttle the project.

Now, it appears Aquila has met EPA objections, and the state agency issued the permit.

"I was very disappointed to hear that," Chaltry said. "I thought because the EPA had come out so strong, they would continue to enforce strong environmental regulations. If they stood their environmental grounds and continued to protect the environment in the way they had initially, Aquila would still have a lot of things to correct."

Still, under the terms of this last permit, Aquila will be required to develop an enhanced groundwater modeling and monitoring plan, according to the DEQ. It must collect existing baseline groundwater and wetland data and collect annual monitoring data to guard nearby wetlands.

Aquila also will be required to develop state-of-the-art controls aimed at spill prevention and a response to potential pollution releases from the process, and it must develop a closure plan for the mine, including a plan for returning waste rock to the pit in a manner that would eliminate future impact to surface and ground water.

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A sign expresses a property owner's opposition to Aquila Resources' plan to open a pit mine near the Menominee River in Michigan. (Photo: Paul Srubas/USA TODAY Network-Wisconsin)

Chaltry said she and other opponents are hopeful the conditions could scuttle the operation, and that the existence of those conditions will dissuade additional investors from getting on board.

Reiter said he wouldn't comment on his tribe's two lawsuits against the project, but he said he knows he, the tribe and other protesters will continue fighting.

"We have never been the type of people to tuck tail and run," he said. "This thing isn't over. It's far from over."

Additional protests are being planned, he said, and he predicted it could get as big as protests over the Dakota pipeline

last year, which got national attention.  
"We're willing to camp out and stand in front of machines if necessary," he said.

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**From:** Lippert, Allison  
**Sent:** Tuesday, June 5, 2018 8:41 AM  
**To:** Arcaute, Francisco <[Arcaute.Francisco@epa.gov](mailto:Arcaute.Francisco@epa.gov)>; Singer, Joshua <[Singer.Joshua@epa.gov](mailto:Singer.Joshua@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>  
**Subject:** RE: Cisco Q - what's pending for today?

Hi Cisco – nothing for me, the Fox 17 story about Butterworth ran last week. I think there is a press release on the Upton Avenue site pending.

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**From:** Arcaute, Francisco  
**Sent:** Tuesday, June 5, 2018 7:59 AM  
**To:** Lippert, Allison <[lippert.allison@epa.gov](mailto:lippert.allison@epa.gov)>; Singer, Joshua <[Singer.Joshua@epa.gov](mailto:Singer.Joshua@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>  
**Subject:** Cisco Q - what's pending for today?

Hey folks.

Yesterday's press calls – thanks for covering – what do I need to do this morning?

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